



File: T&F19/0134
A1153317

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<http://www.treasury.sa.gov.au>
ABN 19 040 349 865

3 June 2019

Hon Stephen Mullighan MP
Member for Lee
62 Semaphore Road
SEMAPHORE SA 5019

Sent via email: lee@parliament.sa.gov.au

Dear Mr Mullighan

Freedom of Information Internal Review — SA Productivity Commission

I refer to your Freedom of Information application received by the Department of Treasury and Finance on 4 March 2019 and your Internal Review application received 1 May 2019.

Your applications specifically requested:

'All minutes, briefings, notes, documents, emails and correspondence held by the Department of Treasury and Finance in relation to the South Australian Productivity Commission. [Date Range: 27/08/2018— 27/09/2018]'

Determination under review

DTF did not make a determination on your initial application within the 30-day time period required by the Freedom of Information Act 1991 (the Act). Accordingly, DTF was deemed to have refused access in full to all documents relevant to your application.

Outcome of internal review

Under section 29(3) of the FOI Act, on an application for internal review, as principal officer I may, confirm, vary or reverse the determination under review. In doing so, I am required to give fresh consideration to the decision under the FOI Act

I have determined to **vary** the original deemed refusal determination.

A total of 7 documents were identified as answering the terms of your application and I have determined as follows:

- I grant you access in full to 4 documents, copies of which are enclosed, and
- I refuse you access to 3 documents.

Please refer to the attached schedule that describes each document and sets out my determination and reasons in summary form.

Documents released in full

Documents 1, 5 – 7

Documents refused in full

Documents 2 – 4

These documents are drafts of documents that were specifically prepared for submission to Cabinet. I have therefore determined to refuse access to these documents pursuant to clause 1(1)(b).

Exemptions

Clause 1 – Cabinet documents

- (1) *A document is an exempt document –*
- (a) *if it is a document that has been specifically prepared for submission to Cabinet (whether or not it has been so submitted); or*
 - (b) *if it is a preliminary draft of a document referred to in paragraph (1);*

Please note, in compliance with Premier and Cabinet Circular PC045 - *Disclosure Logs for Non-Personal Information Released through Freedom of Information* (PC045), DTF is now required to publish a log of all non-personal information released under the *Freedom of Information Act 1991*.

In accordance with this Circular, any non-personal information determined for release as part of this application, may be published on the DTF website. A copy of PC045 can be found at the following address: <https://www.dpc.sa.gov.au/resources-and-publications/premier-and-cabinet-circulars> Please visit the website for further information.

External review

If you remain dissatisfied with this determination, you have the right to apply to the Ombudsman for external review under section 39 of the FOI Act. You have 30 days from the date on which you receive this letter to apply for an external review. If you have any questions about an application to the Ombudsman, please contact the office on (08) 8226 8699.

Yours sincerely



David Reynolds
PRINCIPAL FREEDOM OF INFORMATION OFFICER

Schedule of Documents

T&F19/0134 - Hon Stephen Mullighan MP - "All minutes, briefings, notes, documents, emails and correspondence held by the Department of Treasury and Finance in relation to the South Australian Productivity Commission. [Date Range: 27/08/2018— 27/09/2018]"

Doc. No.	Date	Description of Document	# of pages	Determination	Exemption Clause
1	11/09/2018	Email	3	Released in full	
2	28/08/2018	Overview workings - list of measures - total spend to create jobs and grow the economy	1	Refused in full	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee
3	31/08/2018	2018-19 State Budget- Budget paper 1 Overview	1	Refused in full	1(1)(b) - Draft of document prepared for Cabinet or Cabinet committee
4	3/09/2018	Draft Budget media release	1	Refused in full	1(1)(b) - Draft of document prepared for Cabinet or Cabinet committee
5	13/09/2018	Email - re FOI Request - Productivity Commission (T&F18/0644)	2	Released in full	
6	25/09/2018	Email - Productivity Commission Branding Exemption Outcome	3	Released in full	
7	25/09/2018	Email Attachment - Branding Exemption Online Form Mock-up	3	Released in full	

Lardner, Helen (DTF)

From: Lardner, Helen (DTF)
Sent: Tuesday, 11 September 2018 4:31 PM
To: Oruga, Giselle (DTF)
Subject: RE: Catch up Meeting - SAPC Productivity Commission - Dr Matthew Butlin & Gerard MacDonald

Yes thanks.

From: Oruga, Giselle (DTF)
Sent: Tuesday, 11 September 2018 4:29 PM
To: Lardner, Helen (DTF) <Helen.Lardner@sa.gov.au>
Subject: RE: Catch up Meeting - SAPC Productivity Commission - Dr Matthew Butlin & Gerard MacDonald

Sure, 20 mins is still good?

From: Lardner, Helen (DTF)
Sent: Tuesday, 11 September 2018 4:27 PM
To: Oruga, Giselle (DTF) <Giselle.Oruga@sa.gov.au>
Subject: RE: Catch up Meeting - SAPC Productivity Commission - Dr Matthew Butlin & Gerard MacDonald

Hi Giselle

I've only just now been able to ask him about your query (he's been in a meeting all day)...all I can offer is 11:45am.
Does this suit?

Kind regards

Helen

From: Oruga, Giselle (DTF)
Sent: Tuesday, 11 September 2018 4:18 PM
To: Lardner, Helen (DTF) <Helen.Lardner@sa.gov.au>
Subject: RE: Catch up Meeting - SAPC Productivity Commission - Dr Matthew Butlin & Gerard MacDonald

Hi Helen,

I just thought I'd follow up and check if you've had a chance to check our query with David re: meeting with the Commissioner.

I can see that he'll be out of the office whole day tomorrow so, I thought it would be good to get his answer before he leaves for the day, if possible.

Your help would be greatly appreciated.

Kind regards

Giselle

From: Lardner, Helen (DTF)
Sent: Tuesday, 11 September 2018 9:19 AM
To: Oruga, Giselle (DTF) <Giselle.Oruga@sa.gov.au>
Subject: RE: Catch up Meeting - SAPC Productivity Commission - Dr Matthew Butlin & Gerard MacDonald

Hi Giselle

I'll check this with David and will advise as soon as I can...thanks.

Kind regards

Helen

From: Oruga, Giselle (DTF)
Sent: Tuesday, 11 September 2018 8:58 AM
To: Lardner, Helen (DTF) <Helen.Lardner@sa.gov.au>
Subject: FW: Catch up Meeting - SAPC Productivity Commission - Dr Matthew Butlin & Gerard MacDonald
Importance: High

Hi Helen,

This is just to check if David would be open to have a meeting with Matt at 1pm instead even just for 20 minutes? Matt would really like to meet with David during the former's visit here in Adelaide.

Please advise.

Thank you.

Kind regards,

Giselle Oruga

Project Support Officer | Simpler Regulation Unit
State Administration Centre, Level 6, 200 Victoria Square ADELAIDE SA 5000
t 08 8226 7828 | e giselle.oruga@sa.gov.au | w treasury.sa.gov.au

<< OLE Object: Picture (Device Independent Bitmap) >>

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From: Macdonald, Gerard (DTF)
Sent: Tuesday, 11 September 2018 8:36 AM
To: Macdonald, Gerard (DTF) <Gerard.MacDonald@sa.gov.au>
Subject: RE: Catch up Meeting - SAPC Productivity Commission - Dr Matthew Butlin & Gerard MacDonald

Yes please

From: Oruga, Giselle (DTF) **On Behalf Of** Macdonald, Gerard (DTF)
Sent: Monday, 10 September 2018 12:27 PM
To: Macdonald, Gerard (DTF) <Gerard.MacDonald@sa.gov.au>
Subject: FW: Catch up Meeting - SAPC Productivity Commission - Dr Matthew Butlin & Gerard MacDonald

Would you like me to check if David would be open to meeting Matt at 1pm instead for a 20-minute meeting?

Our team can have longer workshop with Matt.

Please advise.

-----Original Appointment-----

From: Lardner, Helen (DTF) **On Behalf Of** Reynolds, David (DTF)
Sent: Monday, 10 September 2018 12:18 PM
To: Oruga, Giselle (DTF)
Subject: Declined: Catch up Meeting - SAPC Productivity Commission - Dr Matthew Butlin & Gerard MacDonald
When: Thursday, 13 September 2018 11:00 AM-12:00 PM (UTC+09:30) Adelaide.
Where: David's office, L8 SAC

I'm sorry but David is now required at Parliament House at 11am on 13/9.

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Ryan, Ben (DTF)

From: Beveridge, Mark (DTF)
Sent: Thursday, 13 September 2018 3:09 PM
To: Ryan, Ben (DTF)
Subject: RE: Freedom of Information Application - (T&F18/0644) - SA Productivity Commission

Yes I think to that extent they are.

From: Ryan, Ben (DTF)
Sent: Thursday, 13 September 2018 2:58 PM
To: Beveridge, Mark (DTF) <Mark.Beveridge@sa.gov.au>
Subject: RE: Freedom of Information Application - (T&F18/0644) - SA Productivity Commission

Gerard and a member of his team contacted me in relation PBAS experience regarding office accommodation costs and branding.

The request asks for info *"from the Department of Treasury and Finance to the Treasurer or Treasurer's office"* so assume my emails would be out of scope?

Ben
Ph: 842 90604

From: Beveridge, Mark (DTF)
Sent: Thursday, 13 September 2018 2:54 PM
To: Ryan, Ben (DTF) <Ben.Ryan@sa.gov.au>
Subject: FW: Freedom of Information Application - (T&F18/0644) - SA Productivity Commission

Hi Ben.

Anything you received / were consulted on?

From: DTF:BAP FOI Mailbox
Sent: Thursday, 13 September 2018 2:48 PM
To: Beveridge, Mark (DTF) <Mark.Beveridge@sa.gov.au>; Raymond, Greg (DTF) <Greg.Raymond@sa.gov.au>; McCormick, Alan (DTF) <Alan.McCormick@sa.gov.au>; Sharp, Martin (DTF) <Martin.Sharp@sa.gov.au>; Pamula, Adam (DTF) <Adam.Pamula@sa.gov.au>; Burness, Sandy (DTF) <Sandy.Burness@sa.gov.au>; Blight, Tricia (DTF) <Tricia.Blight@sa.gov.au>; Fenn, Greg (DTF) <Greg.Fenn@sa.gov.au>; Merrett, Belinda (DTF) <Belinda.Merrett@sa.gov.au>; Barns, Monique (DTF) <Monique.Barns@sa.gov.au>; Williams, Rachel (DTF) <Rachel.Williams2@sa.gov.au>
Cc: DTF:BAP FOI Mailbox <BAPFOI@sa.gov.au>
Subject: Freedom of Information Application - (T&F18/0644) - SA Productivity Commission

Greetings

We have received an FOI application from Mr Stephen Mullighan MP seeking:

[Date Range: 31/05/2018 to 31/08/2018] All minutes, briefings, notes, emails and correspondence from the Department of Treasury and Finance to the Treasurer or Treasurer's office regarding the establishment and membership of the South Australian (SA) Productivity Commission'

You are required to:

1. Search Objective, network drives and emails for relevant documents/communications. Documents should be provided in the following format:
 - no staples
 - **single sided**
 - in chronological order with number on the top right hand corner in pencil
 - attachments are to be treated as separate documents.
2. Use the attached document schedule to list documents identified. **If you consider that there may be concerns with the release of any of the documents provided, please use the appropriate sections on the schedule to provide information to assist a determination as to whether the documents are exempt.**
3. Send the completed schedule (in Excel format) via return email to DTF:BAP FOI Mailbox.
4. A hard copy of the discovery documents and schedule are to be provided to member of the BAP Management Support team by COB Thursday 20 September.
5. Please reply to this email (BAP FOI MAILBOX) with a nil response if you have nothing to include.

Many thanks

BAP FOI response team

Budget and Performance Branch

e bapfoi@sa.gov.au

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Ryan, Ben (DTF)

From: Ryan, Ben (DTF)
Sent: Tuesday, 25 September 2018 9:14 AM
To: Oruga, Giselle (DTF)
Subject: RE: Branding Exemption documents

Thanks for that info Giselle, it's good to have an understanding of the new process.

Unfortunately it still sounds a little cumbersome, but glad to hear you are making good progress.

Best of luck ☺

Thanks
Ben
Ph: 842 90604

From: Oruga, Giselle (DTF)
Sent: Tuesday, 25 September 2018 9:00 AM
To: Ryan, Ben (DTF) <Ben.Ryan@sa.gov.au>
Subject: RE: Branding Exemption documents

Thanks Ben.

The first step in getting the exemption is still the entity eligibility questionnaire. After getting the formal determination from the Head of Professions (Jehad Ali), the entity will then proceed to the next and final step – registration of the common branding exemption application through the Communications Approval Portal (CAP).

The CAP application involves a 3-step process: registration, submission and ministerial approval. It's pretty much what you've gone through but they just made it online. We also prepared a minute to DTF CE to get approval to lodge the application for SAPC and attached the approved minute in the online form before I click the 'submit for review' button to complete the 1st process in the online application. We are currently in the 2nd step of the CAP application.

I believe that the current process can still be further improved by incorporating the entity eligibility questionnaire into the online registration process as certainly there are some duplications in the questionnaire and the 1st step in the online registration.

I've attached the mock-up of the online for your reference only.

Again, thank you so much. You just don't know what a BIG help you were in unselfishly sharing your experience and all relevant information in establishing PBAS – kudos to you! ☺

Kind regards

Giselle

From: Ryan, Ben (DTF)
Sent: Monday, 24 September 2018 4:51 PM
To: Oruga, Giselle (DTF) <Giselle.Oruga@sa.gov.au>
Subject: RE: Branding Exemption documents

Hi Giselle,

That's great news, well done!!!

A huge relief I'm sure.

Did it seem the process had changed much since my experience (i.e. did they ask for new/different papers or briefings?)

Best of luck with the next task on the to-do list!

Thanks
Ben
Ph: 842 90604

From: Oruga, Giselle (DTF)
Sent: Monday, 24 September 2018 4:20 PM
To: Ryan, Ben (DTF) <Ben.Ryan@sa.gov.au>
Subject: RE: Branding Exemption documents

Hey Ben,

I hope you are doing well.

I just thought I'd share with you the good news – SAPC finally got the full exemption from the common branding policy!

Thanks so much for all your help – you've been such a great source of help and information!

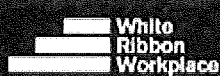
Kind regards,

Giselle Oruga
Project Support Officer | Simpler Regulation Unit
State Administration Centre, Level 6, 200 Victoria Square ADELAIDE SA 5000
t 08 8226 7828 | e giselle.oruga@sa.gov.au | w treasury.sa.gov.au

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From: Ryan, Ben (DTF)
Sent: Tuesday, 28 August 2018 5:05 PM
To: Oruga, Giselle (DTF) <Giselle.Oruga@sa.gov.au>
Subject: Branding Exemption documents

Hi Giselle,

Please see attached documents relating to PBAS banding (in order of submission/receipt)

Step 1 - Eligibility Questionnaire to DPC Comms

PBAS - Entity Eligibility Questionnaire (we were deemed to be in scope for government common branding)

Step 2 - Exemption submission to PCAG

Common Branding Exemption - PCAG Cover Sheet

Common Branding Exemption - Briefing Paper

Exemption approved to the client

Step 3 - Submission of Logo/Stationery pack

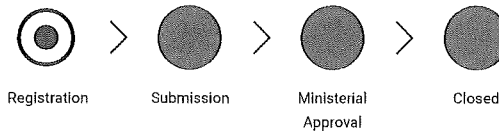
PCAG Approval of Logo - Minute 18102017

Please get in touch if you have any further questions.

Thanks

Ben

Ph: 842 90604



Branding ID	21	Phase	Registration	Created	04 Sep 2018
Exemption Name	South Australian Productivity Commission	Status	Exemption Registered	Last Modified	04 Sep 2018
		Action With	Macdonald, Gerard (DTF)		

Registration

Branding Exemption Name

South Australian Productivity Commission

Department

Department of the Premier and Cabinet

Minister Responsible

Premier

Owner (Primary)

Macdonald, Gerard (DTF) x

Owner (Secondary)

Oruga, Giselle (DTF) x

Entity Seeking Exemption

South Australian Productivity Commission

Exemption Type Sought

Full Exemption: Entity logo only

Background

Please summarise the historical context and current situation, 200 words or less.

Total word Count : 0 words. Words left : 200

Basis for Exemption / Revision

Please explain why an exemption is required, 300 words or less

Planned Implementation Timeframe

Proposed Budget (all figures ex.GST)

Total

Budget Details

Please detail and itemise your budget

Chief Executive Authorisation

☐ I confirm the Chief Executive of my agency has approved the Common Branding Exemption application

Chief Executive

Enter names or email addresses...

Save

Submit for Review

Submission

🕒 Upload or link to proposed logo

Overview of Logo Development Process

Please outline the process you undertook, options considered and how the proposed logo was selected. Did you undertake any concept testing or research?

Total word Count : 0 words. Words left : 360

Head of Profession Comments and Recommendations

Enter in comments to appear on the Ministerial Approval Form

Total word Count : 0 words. Words left : 250

Chief Executive Authorisation

☐ I confirm the Chief Executive of my Department has approved the proposed logo

Chief Executive

Enter names or email addresses...

Ministerial Approval

Ministerial Approval Process

1. Generate form using button on right, and print.
2. Send to your Minister to approve and sign.
3. Once signed, scan the form and upload copy to assets.
4. Write a comment stating the form has been uploaded.
5. The Administrator will verify the form.

Generate Ministerial Approval Green Form

Ministerial Form Signed Date

Enter Date

CANCEL BRANDING EXEMPTION PROCESS